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Approved for use through 10/31/2002. OMB 0651-0031

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/051,122
	<b>Filing Date</b>	January 22, 2002
	<b>First Named Inventor</b>	Raymond M. Bell, Jr.
	<b>Group Art Unit</b>	2874
	<b>Examiner Name</b>	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b> 18180-0116

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Statement Claiming Small Entity Status  <input checked="" type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)  <b>Response to Notice to File Corrected Application Papers and copy of Notice</b>
<b>Remarks</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John P. Moran, Reg No 30,906 Swidler Berlin Shereff Friedman, LLP
Signature	<i>John P. Moran</i>
Date	April 26, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D C 20231 on this date <input type="text"/>			
Typed or printed name	<input type="text"/>		
Signature	<input type="text"/>	Date	<input type="text"/>

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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APR 26 2002

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/051,122	01/22/2002	Raymond Mark Bell JR.	18180.0116

CONFIRMATION NO. 7461

FORMALITIES LETTER



\*OC000000007538825\*

23517  
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP  
3000 K STREET, NW  
BOX 1P  
WASHINGTON, DC 20007

Date Mailed: 02/26/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment.

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **7a,9a,10a, and 12** described in the specification.

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I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing

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date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*




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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

#3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Raymond M. Bell, Jr. et al.

Application No.: 10/051,122

Group Art Unit: 2874

Filed: January 22, 2002

Examiner: --

For: ROBUST HETERODYNE INTERFEROMETER OPTICAL GAUGE

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**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the **NOTICE TO FILE CORRECTED APPLICATION PAPERS** dated February 26, 2002, Applicants submit herewith the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Corrected Application Papers;
2. Substitute Drawings Figs. 1, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 9a, 10, 10a, 11, and 12.

The Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit Account No. 19-5127 referencing 18180.0116.

Applicants petition that Figures 7a, 9a, 10a, and 12 were filed with the application papers, but were not properly labeled. The sheet labeled Figure 7 included two drawings, one of which should have been labeled Figure 7a. This is clear from the description of the figure in the specification. The sheet labeled Figure 9 included two drawings, one of which should have been labeled Figure 9a. This is clear

Docket No. 18180.0116

from the description of the figure in the specification. The sheet labeled Figure 10 included two drawings, one of which should have been labeled Figure 10a. This is clear from the description of the figure in the specification. The sheet labeled Figure 11 included two drawings, one of which should have been labeled Figure 12. This is clear from the description of the figure in the specification.

In view of the above, Applicants petition the U.S. Patent and Trademark Office to determine that Figures 7a, 9a, 10a, and 12 were included in the application as filed. A petition fee of \$130.00 is authorized to be charged to Deposit Account 19-5127, referencing 18180.0116. A refund of the \$130.00 petition fee is respectfully requested.

Respectfully Submitted,

*John P. Moran*

John P. Moran  
Reg. No. 30.906

Dated: April 26, 2002

Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W.  
Suite 300  
Washington, D.C. 20007  
(202) 424-7500

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PTO/SB/17 (11-00)

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<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2001</h2> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision</p>		<p style="margin: 0; font-size: small;">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/051,122</td> </tr> <tr> <td>Filing Date</td> <td>January 22, 2002</td> </tr> <tr> <td>First Named Inventor</td> <td>Raymond M Bell, Jr</td> </tr> <tr> <td>Examiner Name</td> <td></td> </tr> <tr> <td>Group / Art Unit</td> <td>2874</td> </tr> <tr> <td>Attorney Docket No</td> <td>18180 0116</td> </tr> </table>		Application Number	10/051,122	Filing Date	January 22, 2002	First Named Inventor	Raymond M Bell, Jr	Examiner Name		Group / Art Unit	2874	Attorney Docket No	18180 0116
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Examiner Name															
Group / Art Unit	2874														
Attorney Docket No	18180 0116														
<p style="margin: 0; font-size: small;">TOTAL AMOUNT OF PAYMENT (\$)</p> <p style="margin: 0; font-size: large;">130</p>															

METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																					
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">             Deposit Account Number: 195127, Order No 18180 0116           </div> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">             Deposit Account Name: Swidler Berlin Shereff Friedman, LLP           </div> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed</p> <p style="font-size: small;"> <input type="checkbox"/> Check    <input type="checkbox"/> Credit card    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other         </p>					<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>620</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>620</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>220</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>300</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>130.00</td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>355</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>355</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p style="text-align: right;">*Reduced by Basic Filing Fee Paid    <b>SUBTOTAL (3) (\$ 130)</b></p>					Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65		127	50	227	25		139	130	139	130		147	2,520	147	2,520		112	920*	112	920*		113	1,840*	113	1,840*		115	110	215	55		116	400	216	200		117	920	217	460		118	1,440	218	720		128	1,960	228	980		119	310	219	155		120	310	220	155		121	270	221	135		138	1,510	138	1,510		140	110	240	55		141	1,280	241	620		142	1,280	242	620		143	460	243	220		144	620	244	300		122	130	122	130	130.00	123	130	123	130		126	180	126	180		581	40	581	40		146	740	246	355		149	740	249	355		179	740	279	370		169	900	169	900	
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\*\*or number previously paid, if greater, For Reissues, see above

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	John P Moran	Registration No. Attorney/Agent)	30,906	Telephone	202 424-7500
Signature				Date	April 26 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.